

RECORD FOR CATEGORICAL EXCLUSION

NM-510-07-0069

Right-of-Way NM 107636

BLM Office: Roswell Field Office

Proposed Action Title/Type: Right-of-Way for use of an existing road to access Moon Trust No. 1 well

Location of Proposed Action: T. 8 S., R. 30 E., N.M.P.M
Section 32: E $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 33: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 9 S., R. 30 E., N.M.P.M
Section 5: E $\frac{1}{2}$ NE $\frac{1}{4}$;
Section 20: E $\frac{1}{2}$ SE $\frac{1}{4}$;
Section 29: E $\frac{1}{2}$ E $\frac{1}{2}$.

T. 10 S., R. 30 E., N.M.P.M
Section 4: W $\frac{1}{2}$;
Section 9: W $\frac{1}{2}$;
Section 20: E $\frac{1}{2}$ E $\frac{1}{2}$;
Section 29: E $\frac{1}{2}$ NE $\frac{1}{4}$.

DESCRIPTION OF PROPOSED ACTION: Nadal and Gussman Permian, L.L.C., proposes to acquire authorization (to construct, operate and maintain) 53,992 feet of existing road. The entire road length is 83,876 feet of existing road, of which 53,992 feet, is located on public land, 22,732 feet is located on private surface, and approximately 7,152 feet is state land. A 30 foot wide right-of-way is needed for the road with a 14 foot driving surface.

The road will be constructed in accordance with the Roswell District Standard Stipulation for Roads. The entire road is existing and has been constructed.

The cross reference file for the access road is APD file NM 32409 and right-of-way NM 88530.

PART I: PLAN CONFORMANCE REVIEW.

The purposed action is in conformance with the approved Roswell Resource Management Plan (RMP), and is consistent with Bureau policy and guidance.

PART II: NEPA REVIEW

This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4, E (12). The proposed action has been reviewed and determined that none of the exceptions described in 516 DM 2, Appendix 2, apply.

Reviewed by:

/s/Irene Gonzales

3/5/07

Irene Gonzales, Realty Specialist

Date

Prepared by:

/s/Judy Yslas

3/5/07

Pat Flanary

3/5/07

Judy Yslas, Realty Specialist

Date

Pat Flanary, Archaeologist

Date

III. DECISION.

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with existing Bureau policy and guidance and that no further environmental analysis is required. It is my decision to allow the right-of-way as described, for 30 years, with an option to renew, under the authority of Title V of the Federal Land Policy and Management Act of 1976, subject to the terms and conditions in 43 CFR 2801; and the attached standard and the Standard Stipulations for Access Roads in the Roswell Field Office, BLM.

Compliance and Monitoring: The construction phase of this proposed action and subsequent operational phases will be monitored as per regulation.

Larry D. Bray, Assistant Field Manager
Assistance Field Manager
Lands and Minerals

Date

